

**MINUTES OF THE
COMMUNITY ENRICHMENT COMMITTEE
MEETING HELD ON JULY 6, 2005**

MEMBERS PRESENT: Jeff Amerman, Paul Babb, Karen Byrnes, Virginia Hanson, John Harrington, Steve Hess, Shelly Jones, Rick Larson, Rob Macioroski, Jeff Miller, Mollie Maffei, Dan Powers, Jon Sesso, Bob Sullivan, John Van Daveer

MEMBERS EXCUSED: Russ Connole, Dan Dennehy, Mark Driscoll, Danette Gleason, Bob McCarthy, John Moodry, Mark Reavis, John Walsh

OTHERS PRESENT: Peggy Prendergast, Concerned Citizen; Mitzi Rossillon, Butte Citizens for the Preservation & Revitalization (BCPR); Jim Smitham, Butte Local Development Corporation (BLDC)

I. RULES OF THE COMMITTEE:

Call to Order and Roll Call: Co-Chairman John Van Daveer called the Community Enrichment Meeting to order at 4:05 p.m. and roll call was taken.

Review and Approval of the Minutes from the June 29, 2005 Community Enrichment Meeting: The Community Enrichment Committee reviewed the minutes from the June 29, 2005 meeting. Changes are noted on Page #3, second paragraph: Gregg Edelen's name was misspelled (not Greg) and his job title is Special Deputy/Tax Deputy with the Sheriff's office and not a Parole Officer. No other corrections, additions, or deletions were noted.

Review and Comment on Community Enrichment Committee's Procedure: Paul Babb stated that the procedures for the committee were signed after last week's meeting on June 29th. They will be addressed during the Council of Commissioners meeting held on July 13th. Dan Dennehy will conduct a presentation on the procedures at that meeting.

II. PROPERTY UPDATES:

Land Committee—Update by Rob Macioroski: Rob Macioroski stated that the Land Committee is working on 502 West Park Street. John Harrington stated that the building itself is in good shape. He completed a walk thru and found that the roof to be leaking in some places but stable. There are no pigeons or problems but a few broken out windows. Mr. Macioroski stated that he would be conducting a walk thru himself hopefully within a week's time.

III. ACTION PENDING:

A. 109 North Wyoming Street—Update by Karen Byrnes, Dan Dennehy, and Rick Larson: Karen Byrnes stated that she has no new information since last week. She is still waiting for the State for approval and no timeframe has been given.

B. Miner's Union Sign Building—Update by Karen Byrnes: John Van Daveer stated that after his review of this site, there needs to be some sort of public protection from the building and sidewalk immediately. This may include such measures as fencing around the area or placing a canopy around it. The engineers report stated that the east wall is dangerous and in serious need of repair. It was suggested to get Jim McCarthy and his crew up there. Monies needed to public works for labor and materials may be utilized possibly from URA monies. Karen Byrnes said she will check into the financial assistance and if the building is of historic value. The building may need to be mothballed for safety sake. Karen is in hopes that something will be done by next week. Apparently this site has been put on the back burner before and she feels that some type of work plan must be started right away.

C. South Clark Street—Update by Jon Sesso: Steve Hess stated that there was no update available right now. Jon Sesso stated that he will be meeting with Mr. Connelly tomorrow and will then initiate the process in addressing the South Clark Street property.

D. Caledonia Street (Old IC School/Church)—Update from the Health Department, Fire Department, and Building Department: John Harrington stated that John Lasky and himself conducted a walk thru of the Old IC School/Church building last Thursday (June 30th) through the building's main hallway and second floor. He was not able to go into individual rooms because no one was there, including the Manager. There are a number of violations due to the change in the building's occupancy. There is no automatic sprinkling systems, no egress windows, electrical problems, dilapidated walls, and the roof is collapsing causing whether damage. There are 5-6 violations under the abatement section for the building causing a nuisance; the building is no whether proof showing weatherization violations under the housing and building codes. The building does not meet qualifications for residential use. Paul Babb asked Mr. Harrington if he had the authority as a Building Inspector to condemn the building on those premises. Mr. Harrington stated that indeed he had more than enough evidence to give him the authority to condemn the building. He will get the notice ready and be posted sometime tomorrow (July 7th).

Mr. Babb stated that everyone involved should be there. He will also contact Frank Cotton of the Butte Rescue Mission to assist in placing the people living in the building and with the transition of removing their belongings to another location.

Sam Cox and Mollie Maffei of the County Attorney's Office stated that a notice will be sent to Gizelle Latourneau regarding the violations and the legal ramifications imposed

on her. Mr. Cox gave Mr. Harrington approval to post condemnation notice tomorrow (Thursday, July 7th). He will continue with other legal motions to obtain a temporary injunction. This notice needs to be done immediately due to the number of violations including wiring, collapsed roof, etc. Also, approval to have the power cut off immediately was suggested in taking appropriate action towards this problem. Ms. Latourneau will have 30 days to appeal this process, but the taxes on the property are already past due

E. Longfellow Street (Turk property)—Update by Mollie Maffei: Mollie Maffei stated that the trustees designated for this property have constantly changed which has made it difficult to serve anyone regarding this property. We need to look at other avenues to address this situation within different departments.

Jon Sesso stated that there has been a discrepancy between whether the property is zoned residential or commercial or if operating a metal recycling outfit is lawful. Mr. Turk is contending that the property is grandfathered since his grandfather operated a metal recycling business several years ago. Over five years ago, a lawsuit was instituted regarding the junkyard, but it apparently was affected after the yard existed. It is currently unknown what zoning codes are abused and if there is an order to cease and desist or a list of what Mr. Turk's person rights are.

Rick Larson suggested in obtaining any files at the Planning Department for review which may include complains from neighbors, etc. so see if there are indeed other avenue to attach to this property in question.

Ms. Maffei stated that complaints regarding this property stemmed from Community Enrichment involvement. To her best knowledge, there is no past or present file located within the County Attorney's office. The Health Department and possibly the Planning Department may have some type of records. Mr. Larson and Mr. Powers stated that they would look through old records to see if any complaints or information are in the Health Department. Mr. Sesso stated that he would check with Russ Connole to see if there is anything within the Planning Department.

F. Parking Issues Around Emerson, Kennedy, and Whittier Schools—Update by Russ Connole: Mr. Sesso asked that this item be tabled until next week when Mr. Connole could attend the meeting.

IV. OTHER PROPERTIES:

Steve Hess stated that he is working with property in Williamsburg. Mr. Kestle discussed the vehicles and junkyard and the fence. The fence is in bad repair and has nails protruding out of it that creates a danger and hazard. Complaints have been received regarding vehicles parked on various streets in the Williamsburg area. Jed Hoopes from

the Health Department has been there on numerous occasions checking the vehicles to see if any of them would be tagged for junk vehicles due to being unlicensed or not running. All vehicles must be moved to Mr. Kestle's property and not parked outside of the fenced area. There is no current ordinance that states the number of vehicles can be located on one's private property at any given time. Mr. Hess is reviewing the process of expanding the junkyard on the north and west sides. Darrell Stanke of the Montana Department of Environmental Quality will be coming to inspect the property to review who currently owns or leases the property in question. The process can take up to 90-120 days before going to the Council of Commissioners for review. Mr. Hess asked Mr. Larson and Mr. Powers if this site could be considered for future Community Enrichment issues through the Health Department.

V. OTHER ISSUES:

A. Letter from Julie Crowley, CPR, Old Butte Historic Adventures—Discussion by Karen Byrnes: Mitzi Rossillon of the Butte Citizens for the Preservation & Revitalization (BCPR) stated that she is opposed to the proposal on new procedures and ordinances regarding historic preservation issues on demolition of buildings. She believes that this is more of a governmental ploy.

Mr. Dennehy will conduct a presentation on this issue and address it to the Council of Commissioners.

Jeff Amerman stated that he was appalled over Ms. Crowley's letter and the contents listing unsubstantiated accusations. The county government, its employees, commissioners, department heads, and other general public individuals have spent a great deal of hard work into preserving the old uptown Butte buildings and surrounding areas, especially of historic value. Common sense tells one when there is no hope or things are beyond repair, a course of action that is in everybody's best interest needs to be instituted, addressed, and carried out. The outcome cannot be for just one individual or a selected few. Butte is moving forward and preserving as much of it is the goal of all those involved in its process. For someone to blatantly make accusations that are not concrete is unforgivable. Individuals who work on these areas are hard working and dedicated people who want what's best not only for the neighborhood, but for the people living in the area, and for Butte itself. Mr. Amerman is very impressed with the amount of knowledge, communication skills, and concern each individual obtains and takes in working on a site for clean up or demolition. The decisions made are not just half-hazard; they are thoroughly worked out into a plan that is for the best!

Mr. Van Daveer commented that the demolition process is only an objective step to use as an evaluation tool. A lot of misunderstanding and wording is being misconstrued and needs to be clarified for those who think otherwise.

Mr. Van Daveer commented that the demolition process is only an objective step to use as an evaluation tool. A lot of misunderstanding and wording is being misconstrued and needs to be clarified for those who think otherwise.

Mr. Babb commented that the position taken here is that of an advocate in making sure that the communications with each department is kept open and updated as needed. This is not to be interpreted as an adversarial role or one created to break down the process.

B. Develop Community Enrichment List for FY 2005-2006—Discussion by Dan Powers and Rick Larson. Rick Larson stated that a number of properties are being placed on the Community Enrichment list on priority as necessary. The program will address major concerns on various issues on properties to be abated. There are around 30 properties abated per year, depending upon the number of staff available and whether conditions. Mr. Powers also stated that he and Rick would have a plan of action and list ready for the next Community Enrichment Meeting on July 13, 2005.

C. Paul Babb stated that since the last Community Enrichment meeting in regards to the Napton Apartments, a meeting was held between the current owner Harp Cote and John Lasky and Jeff Miller of the Fire Department, Rick Larson of the Health Department, and himself. Mr. Cote was appreciative of the talk with him regarding the hazards on his property and some solutions on addressing those public safety issues. Jeff Miller stated what fire safety issues exist throughout the building. The building is up for sale and a few individuals are looking at the building for other purposes. A few suggestions include the addition of lighting in the alley and the possibility of hiring a security firm for the building.

Mollie Maffei stated that Mr. Cote stated that the number of occupants in his building has been slowly decreasing and currently the number is 28.

VI. ADJOURNMENT:

The Community Enrichment Committee adjourned its meeting at 5:17 p.m.